REMARKS

Initially, Applicant expresses appreciation to the Examiner for the courtesies extended in the recent in-person interview held with Applicant's representative on July 11, 2007. The amendments and remarks presented herein are consistent with the discussions in the interview. Accordingly, entry of this amendment and reconsideration of the pending claims is respectfully requested.

The Office Action, mailed May 29, 2007, considered and rejected claims 1-24. Claims 1, 5-7, 11-13, 17-19, 23 and 24 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Andersson* (U.S. Patent No. 6,047,194) in view of *Oka* (U.S. Patent No. 6,091,945). Claims 2 and 14 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Andersson* and *Oka*, in view of *Lager* (U.S. Patent No. 6,636,502). Claims 3, 4, 8, 15, 16 and 20 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Andersson* and *Oka*, in view of *Wang* (U.S. Patent No. 6, 614,774). Claims 9 and 21 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Andersson*, *Oka*, and *Wang* in view of *Brothers* (U.S. Patent No. 6,822,955).[1] The Office Action also noted that Applicant's priority claim to Swedish Application No. 9903637-8 was deficient for not filing a certified copy in this application or its parent application as required under 35 U.S.C. § 119(b).[2]

By this paper, claims 1, 13 and 23 are amended, and no claims added or cancelled.[3] Accordingly, following this paper, claims 1-24 remain pending, of which claims 1, 11-13 and 23 are the only independent claims at issue.

As discussed during the interview, Applicant's claims are generally directed to methods and systems in which packet data is selectively transmitted by a content originator and to a wireless mobile device only after the mobile device has determined that the content is desired. Claim 1 recites, for example, an example method from the perspective of a wireless mobile communication station which is the target of pushed packet data. In the method, the wireless mobile communication station receives a network address of an originator of packet data that has packet data available to push the data to the mobile communication station. An attempt is then made to match the received

[1] Although the prior art status of the cited art is not being challenged at this time, Applicant reserves the right to challenge the prior art status of the cited art at any appropriate time, should it arise. Accordingly, any arguments and amendments made herein should not be construed as acquiescing to any prior art status of the cited art.

[2] As discussed with the Examiner during the in-person interview and by telephone, a certified copy of the Swedish Application was filed in the parent application and received in the USPTO receiving office on December 28, 2000. Accordingly, Applicant submits that the claim for foreign priority satisfies 35 U.S.C. § 119(b).

[3] Support for the claim amendments can be found throughout Applicant's original application, including at least the express and implicit disclosure in Figures 1 and 2, and the discussion relating thereto.

network address with one or more predefined network addresses stored by the wireless mobile communication station, and which corresponds to a predefined, authorized originator of packet data. If a match is made, the identity of the originator is also verified at the wireless mobile communication station. After such verification, the mobile communication station uses the received network address of the originator to establish a packet data session with the originator. In this manner, all packet data for transfer to the mobile communication station is transmitted by the originator only after the wireless mobile communication station has matched the received address with a predetermined network address. Accordingly, packet data can be received by the wireless mobile communication station only from predefined originators.

Independent claims 11, 12, 13 and 23 recite similar systems and methods. In particular, independent claim 11 recites a computer-readable medium storing components that, when executed, perform the method of claim 1, and independent claim 12 recites a wireless mobile communication station having processing, memory and interface capabilities for performing the method recited in claim 1. Independents claim 13 and 23 recite a method and system, respectively, which implement a method generally corresponding to the method of claim 1 from the perspective of an overall system that includes an originator of push packet data and the wireless mobile communication station.

As further discussed in the interview, while *Andersson* and *Oka* generally relate to systems for wireless communication, they fail to disclose or suggest, whether cited alone or in combination, methods, systems, or computer readable media as recited in the above claims. For example, among other things, the cited references fail to disclose or suggest a method in which all packet data pushed to a mobile communication station is transmitted by the originator only after the wireless mobile communication station determines that the packet data is desired, as recited in combination with the other claim elements. Indeed, while *Andersson* does disclose that a wireless mobile device enters into packet mode, it expressly teaches that packet data is transmitted by the originator (e.g., Internet Host 12 or the Sending Station) regardless of whether the mobile device decides that it will accept packet data. In particular, the Internet Host and Sending Station which originate the packet data, transmit packet data to network infrastructure in the first instance, before any decision is made by the wireless device as to whether it will accept data.

More particularly, *Andersson* discloses methods and systems in which a wireless station can select whether or not to permit transmission of packet data thereto. (Col. 7, ll. 8-10). In the disclosed methods and system, a registration process is first conducted to determine whether the wireless device should receive the packet data. In such a registration process, "packet data"

originated at the Internet host is transmitted over a radio interface, and is intended to be ultimately delivered to the wireless device. (Col. 5, ln. 64 to Col. 6, ln. 1). An SMS message identifying the Internet host is then generated and transmitted to the wireless station. (Col. 6, ll. 4-8). Following receipt of the SMS message, the wireless device determines whether to permit transmission of the packet data. (Col. 6, ll. 8-11). If permission is granted to the network infrastructure between the originator and the wireless station (e.g., PLMN 18), the mobile terminal registers to receive the packet data, and the packet data is forwarded from the network infrastructure (e.g., VPMSC 44) to the radio transceiver. (Col. 6, ll. 11-13, 64-67). In this manner, unsolicited or otherwise unwanted packet data can be refused by the wireless station. (Col. 6, ll. 1-3). Notably, however, when such refusal is made, the effect is to refuse permission to the PLMN to transmit the packet data to the wireless station. (Col. 6, ll. 1-4).

Accordingly, during the registration process, *Andersson* discloses that packet data is first transmitted by the Internet Host to the PLMN. Thereafter, if permission is granted, the PLMN transmits the received packet data to the mobile device. Otherwise, the PLMN does not transmit the received packet data. Accordingly, in *Andersson*, the Internet Host transmits packet data to the PLMN before the wireless device has determined whether to receive or refuse the data, rather than transmitting all packet data only after acceptance by the wireless device, as recited in the above claims.

This "sequence" of events is further described in *Andersson*, to describe a system that generates various signals to provide the user selective reception of only desired packets. (Col. 7, ll. 14-20). In that sequence, packet data originated at the Internet Host is "first" routed from the Internet Host and to a gateway packet mobile switching center (GPMSC) within a public land mobile network (PLMN). (Col. 6, ll. 26-32; Col. 7, ll. 21-23; Figs. 1, 2). The packet data includes a header identifying the wireless device, and that information is used by the GPMSC to locate the mobile terminal. (Col. 7, ll. 23-36).

The GPMSC also encapsulates the packet data and forwards it to a visited location packet mobile switching center (VPMSC) which serves the mobile terminal. (Col. 7, ll. 36-41). The encapsulated data is then de-capsulated, and some of the packet data, including the source IP address, is forwarded to a short messaging center (SMS-C), which issues an SMS message that is ultimately routed to the mobile terminal. (Col. 7, ll. 41-64). A determination can thereafter be made at the mobile terminal as to whether to accept transmission of packet data originated by the Internet Host identified in the SMS message. (Col. 8, ll. 3-6, 40-43). When permission is provided, the mobile

terminal transmits such permission and enters into a packet state, and the packet data is then routed to the mobile terminal by the PLMN. (Col. 6, ll. 11-13; Col. 8, ll. 7-13).

A similar, more broadly discussed, method is disclosed in *Andersson* in which a mobile station receives messages originated by a sending station, by using an intermediate network infrastructure. (Col. 8, ll. 44-50). Specifically, packet data originated by the sending station is "first" sent to, and detected at, the network infrastructure. (Col. 8, ll. 51-53). Thereafter, the identity of the sending station is determined and an SMS message is formed which identifies the sending station, and sent to the mobile receiving station. (Col. 8, ll. 53-58). Upon receipt of the SMS message, the mobile receiving station selects whether to accept transmission of the packet data originated by the sending station. (Col. 8, ll. 59-63). If permission is granted, the packet data is sent to the mobile receiving station. (Col. 8, ll. 63-65). In this manner, transmission of undesired or unsolicited packet data is selectively prevented by denying permission to transmit the packet data to the mobile device. (Col. 8, ln. 66 to Col. 9, ln. 5).

Accordingly, in each of the disclosed methods and systems in *Andersson*, the "first" step is to transmit "packet data" from the sending station (e.g., Internet Host) to the network infrastructure (e.g., PLMN), and the next-to-last step is for the user to select whether to permit transmission of "the packet data" to the mobile terminal, while the final step is to route "the packet data" to the mobile terminal when permission is granted. *Andersson* thus discloses that packet data is transmitted by the originator so as to allow an SMS message to be generated (using the information in the header of the packet data), and that the SMS message is then delivered to the mobile device for a determination as to whether the packet data should be delivered. Stated another way, *Andersson* teaches that the originator transmits, and the network infrastructure receives, packet data, and that this occurs before the mobile terminal is provided notice of the existence of the packet data.[4] Accordingly, *Andersson* discloses that the sending station initially transmits the packet data before the wireless mobile communication station has determined that packet data reception from the originator is desired, rather than only after such determination, as claimed in combination with the other claim elements.

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[4] Figures 2 and 3 of *Andersson* also clearly illustrates that the sending station (e.g., Internet Host) that originates the packet data, necessarily transmits the packet before any communication with the mobile terminal occurs. In particular, and as illustrated in Figure 2, the only communication between the Internet Host and any other element in the system disclosed in *Andersson*, is the first sequential act 86, in which the Internet Host transmits the packet data as the first step in the process. Thereafter, the remaining acts take place between mobile terminal 14 and other elements of PLMN 18.

Similarly, Figure 3 illustrates a system in which the first step is for the network infrastructure to detect receipt of the packet data (step 164). Only thereafter is a selection made as to whether to permit transmission of the packet data (step 174) so that the packet data can be sent to the mobile receiving station (step 176). No intermediate step between steps 174 and 176 is disclosed where additional packet data is acquired, such that the only packet data sent to the mobile station is that initially acquired from the sending station in step 164, well before permission to receive the packet data was granted.

In addition, *Andersson* also discloses that when the mobile device determines that the packet data is determined to be desirable, a message granting permission to deliver the packet data is provided by the mobile terminal to the VPMSC. (Col. 8, ll. 7-10; Fig. 2). In this manner, the mobile terminal enters into registration for the packet state and thereafter the packet data is routed to the mobile terminal. (Col. 8, ll. 10-13). Significantly, the mobile device thus registers with the VPMSC rather than the originator. Accordingly, when registering and entering the packet state, the mobile terminal contacts the VPMSC of the network infrastructure, rather than using the network address of the originator to establish the packet data session after verification of the received network address of the originator, as recited in combination with the other claim elements. Indeed, *Andersson* merely discloses that, with respect to the network address of the originator of packet data, the network address of the originator is used merely to determine whether transmitted packet data should be delivered, but has no disclosure that the address is then used to establish a session with the originator.

Applicant also respectfully submits that *Oka* fails to remedy the deficiencies of *Andersson*. In particular, *Oka* discloses an authentication method for a radio communication between mobile devices. In the *Oka* system, a first mobile device or a base station (the caller) sends a fixed ID, variable ID, and the telephone number of the second mobile device (the callee). (Fig. 3, S13, S22; Fig. 4, S32, S43). The second mobile device then authenticates the first mobile device or base station according to the recognition of the fixed ID and the variable ID. (Fig. 3, S22-24; Fig. 4, S32-34). After such authentication, and in the case where the caller is a mobile station, the second mobile device sends a confirmation signal along with a designation of the communication channel. (Fig. 3, S25). In the case where the caller is a base station, the base station transmits the designation of the communication channel. (Fig. 4, S44; Fig. 5, S56).

Accordingly, *Oka* discloses a system for authenticating a caller in which two IDs of the caller are authenticated if they are recognized. In the case that the caller is also a mobile device, the callee then sends a confirmation signal and designates a communication channel. In the alternative, when the caller is a base station such as an Internet Host or network infrastructure in *Andersson*, the base station designates the communication channel and confirms connection. Thus, if *Oka* were used to modify *Andersson*, the combination fails to disclose or suggest the wireless mobile station of *Andersson* using an address of the Internet Host to establish communication. Moreover, *Oka* is directed to voice communication over a telephone network, and has no disclosure related to packet data. Accordingly, *Oka* also fails, when combined with *Andersson* to disclose using any address, let alone an address of an originator, to establish a packet data session, or an originator transmitting all

packet data only after acceptance by the mobile device. In fact, as discussed during the interview, any combination of references which teaches transmitting all packet data only after acceptance of the packet data by the mobile device would contradict the express teachings of *Andersson* in which the packet data is first transmitted, and only thereafter does the mobile device determine whether to receive it.

In view of the foregoing, and for the other reasons discussed during the interview, Applicant respectfully submits that the other rejections to the claims are now moot and do not, therefore, need to be addressed individually at this time. It will be appreciated, however, that this should not be construed as Applicant `regarding the cited art or the pending application, including any official notice. Instead, Applicant reserves the right to challenge any of the purported teachings or assertions made in the last action at any appropriate time in the future, should the need arise. Furthermore, to the extent that the Examiner has relied on any Official Notice, explicitly or implicitly, Applicant specifically requests that the Examiner provide references supporting the teachings officially noticed, as well as the required motivation or suggestion to combine the relied upon notice with the other art of record.

In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney at (801) 533-9800.

Dated this 20th day of November, 2007.

Respectfully submitted,

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